

Bureau of Land Management, Interior

§ 5500.0-3

(2) Delays necessitated by the requirements for consultation with the U.S. Fish and Wildlife Service under the Endangered Species Act;

(3) Reviews for cultural resource values;

(4) Court injunctions obtained by parties outside the contract; or

(5) Closure of operations by State fire protection agencies due to fire danger.

(d) Upon written request of the purchaser, the State Director may extend a contract to harvest green timber to allow that purchaser to harvest as salvage from Federal lands timber that has been damaged by fire or other natural or man-made disaster. The duration of the extension shall not exceed the time necessary to meet the salvage objectives. The State Director may also waive reappraisal for such extension.

[57 FR 37477, Aug. 19, 1992, as amended at 57 FR 62235, Dec. 30, 1992]

§ 5473.4-1 Reappraisal.

(a) If an extension is granted under § 5473.4(a), reappraisal by the contracting officer of the material sold will be in accordance with this section.

(b) For a cruise sale the timber sold remaining on the contract area shall be reappraised for the purpose of computing the reappraised total purchase price. The reappraised total purchase price shall not be less than the total purchase price established by the contract or last extension. The authorized officer may require that the reappraised total purchase price shall be paid in advance as a condition of granting an extension.

(c) For a scale sale each species of timber remaining on the contract area shall be reappraised. The reappraised unit price for each species shall be effective for the remaining life of the contract: *Provided, however*, The reappraised unit price for each species shall not be less than the unit price established by the contract or previous extension.

[52 FR 42587, Nov. 5, 1987 and 53 FR 31002, Aug. 17, 1988, as amended at 56 FR 33833, July 23, 1991; 57 FR 37477, Aug. 19, 1992]

Subpart 5474—Contract Assignment

§ 5474.1 Conditions; general.

(a) The purchaser may not assign the contract or any interest therein without the written approval of the authorized officer. An assignment shall contain all the terms and conditions agreed upon by the parties thereto.

(b) The authorized officer will not approve any proposed assignment involving contract performance unless the assignee (1) is authorized to transact business in the State in which the timber or other vegetative resource is located; (2) submits such information as is necessary to assure the authorized officer of his ability to fulfill the contract; and (3) furnishes a performance bond as required by subpart 5451 of this chapter or obtains a commitment from the previous surety to be bound by the assignment when approved. Upon approval of an assignment by the authorized officer, the assignee shall be entitled to all the rights and subject to all the obligations under the contract, and the assignor shall be released from any further liability under the contract.

Group 5500—Nonsale Disposals

PART 5500—NONSALE DISPOSALS; GENERAL

Subpart 5500—Nonsale Disposals; General

Sec.

5500.0-3 Authority.

5500.0-5 Definitions.

SOURCE: 35 FR 9789, June 13, 1970, unless otherwise noted.

Subpart 5500—Nonsale Disposals; General

AUTHORITY: 61 Stat. 681, as amended, 69 Stat. 367, 48 Stat. 1269, sec. 11, 30 Stat. 414, as amended, 30 U.S.C. 601 *et seq.*, 43 U.S.C. 315, 423.

§ 5500.0-3 Authority.

(a) The Act of July 31, 1947 (61 Stat. 681), as amended by the Acts of July 23, 1955 (69 Stat. 367, 30 U.S.C. 601 *et seq.*) and the Act of September 25, 1962 (76 Stat. 587) authorizes the disposal of